

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 11

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte KARALEE BROWN LEBLANC  
and WAYNE ELMO VICKNAIR

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Appeal No. 2001-2254  
Application 08/951,937

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ON BRIEF

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Before THOMAS, HAIRSTON, and JERRY SMITH, Administrative Patent Judges.

JERRY SMITH, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on the appeal under 35 U.S.C. § 134 from the examiner's rejection of claims 1-16, which constitute all the claims in the application. An amendment after final rejection was filed on September 2, 1999 and was entered by the examiner.

The disclosed invention pertains to a process whereby a new general purpose function could be simply added to already dispensed and distributed object oriented programs. The invention provides for the connecting of a new program object to an existing object through a connecting object interfacing between the original object being connected to and the new program object. The connecting object functions independently of the attributes and methods contained in the original object and is itself without such data attributes.

Representative claim 1 is reproduced as follows:

1. In a computer controlled object oriented programming system having means for interfacing a plurality of programming objects wherein said programming objects may be initial programming objects and combinations of such initial programming objects combining functions of said initial objects, and each programming object including data attributes, methods of manipulating such attributes and predetermined interface data defining a required common interface with the other programming objects, the improvement wherein said system further comprises:

at least one connecting object without data attributes and interfacing with at least one of said programming objects including,

means for detecting the occurrence of at least one selected condition in said one object, and

means responsive to said detecting means for notifying a second object also interfacing with said connecting object of said occurrence.

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The examiner relies on the following reference:

Mitchell et al. (Mitchell)	5,872,973	Feb. 16, 1999
		(filed Oct. 26, 1995)

Claims 1-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the disclosure of Mitchell.

Rather than repeat the arguments of appellants or the examiner, we make reference to the brief and the answer for the respective details thereof.

#### OPINION

We have carefully considered the subject matter on appeal, the rejection advanced by the examiner and the evidence of anticipation relied upon by the examiner as support for the rejection. We have, likewise, reviewed and taken into consideration, in reaching our decision, the appellants' arguments set forth in the brief along with the examiner's rationale in support of the rejection and arguments in rebuttal set forth in the examiner's answer.

It is our view, after consideration of the record before us, that the evidence relied upon does not support the examiner's rejection. Accordingly, we reverse.

Appellants have indicated that for purposes of this appeal the claims will all stand or fall together as a single group

[brief, page 3]. Consistent with this indication appellants have made no separate arguments with respect to any of the claims on appeal. Accordingly, all the claims before us will stand or fall together. Note In re King, 801 F.2d 1324, 1325, 231 USPQ 136, 137 (Fed. Cir. 1986); In re Sernaker, 702 F.2d 989, 991, 217 USPQ 1, 3 (Fed. Cir. 1983). Therefore, we will consider the rejection against independent claim 1 as representative of all the claims on appeal.

Anticipation is established only when a single prior art reference discloses, expressly or under the principles of inherency, each and every element of a claimed invention as well as disclosing structure which is capable of performing the recited functional limitations. RCA Corp. v. Applied Digital Data Systems, Inc., 730 F.2d 1440, 1444, 221 USPQ 385, 388 (Fed. Cir.); cert. dismissed, 468 U.S. 1228 (1984); W.L. Gore and Associates, Inc. v. Garlock, Inc., 721 F.2d 1540, 1554, 220 USPQ 303, 313 (Fed. Cir. 1983), cert. denied, 469 U.S. 851 (1984).

With respect to representative claim 1, the examiner has indicated how he has read the invention on the disclosure of Mitchell [answer, page 3]. Appellants argue that the mapping objects of Mitchell have data attributes which is contrary to the claimed invention. Specifically, appellants argue that the

complex functions performed by the mapping object of Mitchell would require that the mapping object have data attributes. Appellants also argue that since the mapping object of Mitchell functions as a surrogate or client object to a server, it must share some of the attributes of the server. Finally, appellants argue that the one location of Mitchell relied on by the examiner could only have been found in hindsight in light of appellants' own teachings [brief, pages 3-6]. The examiner responds that Mitchell never discloses that the mapping object has data attributes. The examiner asserts that the mapping in Mitchell is inherently done independently of the attributes and methods contained in the original object [answer, pages 7-9].

We will not sustain the examiner's rejection of claims 1-16 because the examiner's rejection fails to establish a prima facie case of anticipation. We are unable to find support for the examiner's position that the mapping object of Mitchell is without data attributes as claimed. We have reviewed the portions of Mitchell cited by the examiner, but we are unable to recognize within these cited portions a disclosure that the mapping object is without attributes. On the contrary, it appears to us that the mapping object does have attributes. For example, Mitchell discloses that "[w]henver the 'trigger'

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attribute (a property of the mapper chosen by the user) changes, the values are gathered up by the semantic link and are used as parameters to the function of the second object" [column 8, lines 61-64]. Thus, the mapper object appears to have a trigger attribute. Mitchell also states that "[u]sing the direction attribute that was stored in the mapper's properties, the code determines which side(s) need probes" [column 23, lines 19-20]. Thus, it appears that the mapper object may also have a direction attribute. Based upon the record before us, we are of the view that the examiner's position that the mapper object of Mitchell is without data attributes is unsupported.

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In summary, we have not sustained the examiner's anticipation rejection of the claims on appeal. Therefore, the decision of the examiner rejecting claims 1-16 is reversed.

REVERSED

JAMES D. THOMAS	)	
Administrative Patent Judge	)	
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	)	
	)	
KENNETH W. HAIRSTON	)	BOARD OF PATENT
Administrative Patent Judge	)	APPEALS AND
	)	INTERFERENCES
	)	
	)	
JERRY SMITH	)	
Administrative Patent Judge	)	

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